IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No. 12620 of 2006

Dated: June 23, 2006

Between:

Islamiya Educational Society,
Opp: Sikh Gurudwara, Near Secunderabad
Railway Station, Rezimental Bazar,
Secunderabad, rep. by its Office bearer
Sri Moti Khan and two others.

… Petitioners

And

A.P. State Council for Higher Education,
Masab Tank, Hyderabad, and two others.

… Respondents

Order:

This writ petition has been filed seeking a Writ of Mandamus to declare the action of the respondents in not processing the application of the petitioner for grant of approval for additional undergraduate courses in the institution of the second petitioner as illegal and arbitrary and a consequential direction to the respondents is sought to grant approval for additional undergraduate courses.

2. Heard the learned counsel for the petitioners and the learned

Standing Counsel appearing on behalf of the second respondent.

3. The second petitioner, established by the first petitioner society, which is a college imparting degree courses, applied to respondents 1 and 3 for grant of approval for starting additional undergraduate courses vide application dated 17-03-2006. Thereon, the third respondent, by letter dated 06-05-2006, intimated that a Joint Inspection Committee constituted by the second respondent would visit their college during 17 to 20th May 2006 for inspection of infrastructure and instructional facilities to run the said course. However, it is stated that as the inspection did not take place on the specified date, the petitioners made another representation dated 16-06-2006 to inspect the college and grant necessary permission to start the proposed course. It is the case of the petitioners that though the academic year has already begun; no steps are being taken to process the application.

4. On the other hand, learned Standing Counsel appearing on behalf of the second respondent submits that the petitioner college has shifted its place of functioning from the permitted premises unauthorizedly.

5. However, it is to be seen that no such order has been passed by the respondents rejecting the application of the petitioner on the ground as mentioned by the learned Standing Counsel. If there is any objection for the proposed course, respondents ought to have considered the application of the petitioners and recorded reasons either for permission or rejection. But, without considering the application and without inspecting the premises where the proposed course is to be started, the matter cannot be kept pending indefinitely.

6. Hence, I deem it appropriate to dispose of the writ petition

directing the third respondent to consider the application of the petitioner dated 16-06-2006 and pass appropriate orders within two weeks from today.

7. Subject to the above observations, the writ petition is disposed of. No order as to costs.

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JUSTICE R. SUBHASH REDDY.

June 23, 2006
MRR